

### REMARKS

Claims 1-22 and 24-32 are pending. Claims 8, 9, 14, 22, and 24 have been amended and claim 23 has been canceled. It is respectfully submitted that none of the amendments presented herein raise new issues requiring further search or consideration by the Examiner. Entry of these amendments is therefore respectfully requested.

Reconsideration of the application is respectfully requested for the following reasons.

**I. The Rejection of Claims 22 and 24-27.**

In the Final Office Action, claims 22 and 24-27 were rejected under 35 U.S.C. §102(b) for being anticipated by the Fowler patent. This rejection is traversed for the following reasons.

Claim 22 recites broadly the embodiments of the invention disclosed in the specification. In particular, this claim recites a method for operating a microwave oven which involves (1) displaying results of an Internet search performed by a browser in the oven, (2) receiving a first user signal selecting of one of the results, and (3) automatically converting cooking information obtained from the Internet and corresponding to the selected result into a signal recognizable by a microcomputer in the oven response to the user-initiated signal. The Fowler patent does not disclose these features.

In order to anticipate claim 22, the Fowler patent must disclose every feature recited in that claim, either explicitly or inherently. *In re Schreiber*, 44 USPQ.2d 1429, 1431 (Fed. Cir. 1999).

The Fowler patent discloses a communication system for downloading cooking information (e.g., oven temperature, cooking time, etc.) along a signal path that eventually leads to a microwave oven. The system includes a first computer which downloads the cooking information into a second computer through a network. The second computer then transmits the cooking information to the microwave oven, where it is stored in an internal memory. The first computer may be located at a corporate office and the second computer may be a personal computer. (See column 11).

**A. Differences Between Claim 22 and Fowler.**

The Fowler patent fails to disclose at least the following features of claim 11.

First, the Fowler patent does not disclose that its microwave has an Internet browser. Instead, Fowler discloses that a personal computer 55 coupled to the oven includes a modem for receiving cooking information from a network. (See columns 10 and 11 with reference to Fig. 10D). Without a browser in its oven, Fowler cannot disclose the step of "displaying results of an Internet search performed by a browser in the oven" as recited in claim 22.

Second, it is further noted that Fowler not only does not include an Internet browser in its oven, it does not receive cooking information in response to any Internet search using a browser. This is evident from column 11, which merely discloses that cooking information (e.g., a menu) is downloaded to personal computer 55 from a corporate office. Fowler does not disclose or otherwise suggest that this information is downloaded as a result of an Internet

browser search. On the contrary, Fowler clearly indicates that when the corporate office is ready to download this information, the information is sent to (e.g., via e-mail) personal computer 55. The transmitting computer, thus, initiates the transmission, not the receiving computer 55.

Accordingly, as a second difference, the Fowler patent fails to disclose "receiving a first user signal selecting one of the results" of the Internet search performed by the browser. The only user signal Fowler receives is from a cook start button on the oven. More specifically, personal computer 55 receives cooking information from the network and then sends this information to the oven, where it is used to pre-program its settings. When the user pushes the cook start button, the oven then automatically cooks food based on the pre-programmed settings. However, Fowler does not receive a "first user signal selecting one of the results" of an Internet search as recited in claim 22.

Third, since the Fowler oven does not receive the "first user signal," it logically follows that Fowler also does not perform the step of "automatically converting cooking information obtained from the Internet and corresponding to the selected result into a signal recognizable by a microcomputer in the oven response to the first user signal."

Because the Fowler patent does not disclose all the features of claim 22, the Fowler patent cannot anticipate the invention defined in this claim. Applicant further submits that the foregoing differences are sufficient to render claim 22 and its dependent claims non-obvious and thus patentable over Fowler.

As a further consideration to non-obviousness, Applicant notes that Fowler not only fails to teach or suggest the invention of claim 22, it discloses a system that is very much like the related-art system described in Applicant's specification. In the Background of the Invention section of the application, Applicant discusses a related-art oven that is controlled by an external personal computer. (See Fig. 1). This is precisely the type of system disclosed in Fowler and which Applicant's invention represents a substantial improvement over, e.g., by eliminating the external personal computer Applicant's invention realizes reduced costs, more efficiently controls the oven by eliminating multi-level access, increases convenience of operation to the user, and provides enhanced services such as allowing users to perform non-cooking related Internet searches. (These advantages are discussed in greater detail on page 2, of the specification).<sup>1</sup> For at least these additional reasons, it is respectfully submitted that claim 22 is allowable over Fowler.

**B. Differences Between Claim 22 and a Fowler-Emmott Combination.**

In the Final Office Action, the Examiner presented rejections based on the Emmott publication. Applicant submits that claim 22 is allowable over any combination that can be formed between Fowler and Emmott.

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<sup>1</sup> While these advantages should not be held to be limiting of the claimed invention, they do demonstrate the improved performance the claimed invention is able to achieve over the related-art system and Fowler.

The Emmott publication discloses a microwave oven equipped with a web browser for performing searches on the Internet. The searches are performed to locate recipes and/or other food-related information based on key words input by a user. The recipes are then downloaded for viewing on a display integrated into a control panel of the oven. (See paragraphs [0027] and [0028]).

While the Emmott oven displays results of an Internet search, it fails to perform at least the following features of claim 22: (1) receiving a first user signal selecting of one of the results, and then (2) automatically converting cooking information obtained from the Internet and corresponding to the selected result into a signal recognizable by a microcomputer in the oven in response to the first user signal. Emmott takes no action automatically in response to the selection of one of the displayed results by a user. Instead, all displayed cooking information (e.g., cooking time, cooking power, etc.) must be manually entered into the Emmott oven, which is very different from the claimed invention.

Combining Fowler and Emmott would therefore form, at best, a microwave oven that performs and passively displays the results of Internet searches and which also stores cooking information received from a personal computer through a network. Such a combination, however, would fail to include features (1) and (2) enumerated above. Absent these features, it is respectfully submitted that claim 22 and its dependent claims cannot be rendered obvious by a Fowler-Emmott combination.

**II. The Rejection of Claims 1-5 and 7.**

The Examiner rejected the above-noted claims under 35 USC § 103(a) for being obvious over an Emmott-Folwer combination. Applicant traverses this rejection for the following reasons.

Claim 1 recites a signal converting unit which converts "cooking information selected by the user and searched by the search engine to a signal capable of being recognized by the microcomputer to perform data communication with the microcomputer," and a microcomputer for "automatically outputting a control signal to perform a cooking operation depending on the cooking information selected by the user from the downloaded information." (Emphasis added). As previously noted, these features are not taught or suggested by the Emmott and Fowler patents, whether taken alone or in combination. For at least these reasons, Applicant submits that claim 1 and its dependent claims are allowable.

**III. The Rejection of Claim 6.**

The Examiner rejected claim 6 under 35 USC § 103(a) for being obvious over Emmott. Applicant traverses this rejection on grounds that claim 6 depends from claim 1, which is allowable over Emmott for reasons previously noted. Accordingly, it is submitted that claim 6 is also allowable over this reference.

**V. The Rejection of Claims 8-16 and 23.**

The Examiner rejected the above-noted claims under 35 USC § 103(a) based on a Fowler-Emmott combination. Applicant traverses this rejection for the following reasons.

Claim 8 recites "a converter which automatically converts one of a plurality of displayed results of an Internet search containing cooking information into a form recognizable by the microcomputer in response to a first user signal." For reasons previously discussed, Fowler and Emmott do not teach or suggest a converter of this type. Accordingly, it is submitted that claim 8 and its dependent claims are non-obvious over the cited combination.

As for claims 13-16, the Examiner merely stated that the features recited therein are "mplicit." These features are not implicit. Moreover, as set forth in MPEP § 2143, when issuing a rejection it is improper for the Examiner to merely state that features in a claim are implicit. Rather, in order to establish a *prima facie* case, the Examiner must specifically show where in the references the claimed features can be found. The Examiner has not made such a showing for claims 13-16. Consequently, it is submitted that the Examiner's rejection is based on a mere gratuitous assertion, which falls far short of the standard for establishing a *prima facie* case of unpatentability.

**V. The Rejection of Claims 17-21 and 28.**

The Examiner rejected the above-noted claims under 35 USC § 103(a) for being obvious over a combination formed between the Fowler and Perholtz patents. Applicant traverses this rejection for the following reasons.

Claims 17-21 ultimately depend from claim 8. In order to render claims 17-21 obvious, the Perholtz patent must therefore teach or suggest the features of claim 8 missing from the Fowler patent. The Perholtz patent was cited for its disclosure of remotely controlling a data processing device. Perholtz does not teach or suggest the features of claim 8 (noted above) missing from the Fowler patent. Accordingly, it is submitted that claims 17-21 are allowable at least by virtue of their dependency from claim 8.

Regarding the features in claims 17-21, the Examiner has indicated that these features are implicit. Applicant submits that this gratuitous assertion does not satisfy the proper standard for claim examination. Applicant further submits that the features of claims 17-21 are not taught or suggested in the cited references, whether taken alone or in combination.

Claim 28 depends from claim 22. Perholtz does not teach or suggest the features of claim 22 missing from Fowler. Accordingly, it is submitted that claim 28 is allowable.

#### **VI. The Rejection of Claims 29-32.**

The Examiner rejected the above-noted claims under 35 USC § 103(a) for being obvious over Fowler. Claims 29-32 depend from claim 22. For reasons previously noted, the Fowler patent does not teach or suggest all the features in claim 22, whether taken alone or in combination with Emmott or the other references of record. Accordingly, it is submitted that claims 29-32 are allowable at least by virtue of their dependency from claim 22.



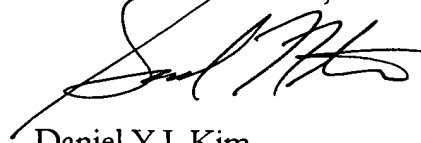
In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below. Favorable consideration and prompt allowance are earnestly solicited.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

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